



A publication of the
Oregon Independent Aggregate Association
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Oregon Independent Aggregate Association Newsletter

August 2023

Chairman's Message

MSHA issued new proposed rules for Respirable Crystalline Silica (RCS, or "silica dust") on June 30, 2023 (<https://www.msha.gov/silica-rulemaking>). The rules would reduce the permissible exposure limit (PEL) standard for silica dust to 50 micrograms per cubic meter of air ($\mu\text{g}/\text{m}^3$) over an 8-hour shift, which is half the current 100 $\mu\text{g}/\text{m}^3$ PEL. This new standard is intended to prevent worker exposures over time that lead to diseases like silicosis, emphysema, and lung cancer.

This will impact all coal and metal/non-metal mines. More stringent worksite controls, sampling, testing, and medical monitoring will need to be implemented. The rules are proposed at this time, and MSHA is seeking comments from operators and industry associations. That said, it is expected the 50 $\mu\text{g}/\text{m}^3$ PEL will become the law to be consistent with current research and revised OSHA rules.

The Law Office of Adele Abrams is reviewing the proposed regulations and will be providing some guidance for operators in the near future. Stay tuned!

Take care and be safe,

Erick Staley
Chairman

US Department of Labor announces proposed rule to reduce silica dust exposure, better protect miners' health

Posted: June 30, 2023

Unhealthy levels of silica dust linked to serious workplace illnesses

WASHINGTON – The U.S. Department of Labor today announced a proposal by its Mine Safety and Health Administration to [amend current federal standards to better protect the nation's miners from health hazards related to exposure to respirable crystalline silica](#), or silica dust. The proposed rule change will ensure miners have at least the same level of protections as workers in other industries.

Unhealthy levels of silica, a carcinogen, and exposures over time cause severe illnesses, including silicosis; progressive massive fibrosis; non-malignant respiratory disease, such as emphysema; kidney disease; and lung cancer. Exposure to mixed coal mine dust that contains respirable crystalline silica can lead to the development of coal workers' pneumoconiosis, commonly known as black lung disease; multi-dust pneumoconiosis; and progressive massive fibrosis.

The proposed rule would require mine operators to maintain miners' Permissible Exposure Limit to respirable crystalline silica at or below 50 micrograms per cubic meter of air for a full shift exposure, calculated as an 8-hour time weighted average. If a miner's exposure exceeds the limit, the proposed rule would require operators to take immediate corrective actions to come into compliance.

"The purpose of this proposed rule is simple: prevent more miners from suffering from debilitating and deadly occupational illnesses by reducing their exposure to silica dust. Silica overexposures have a real-life impact on a miner's health," explained Assistant Secretary for Mine Safety and Health Chris Williamson. "Miners like a crusher operator at a California sand and gravel mine or a roof bolter in a West Virginia coal mine should never be forced to choose between preserving their health and providing for themselves and their families. This proposed rule furthers the Mine Act's clear instruction to prioritize miners' health."

In addition to reducing the existing exposure limit, the proposal also includes other requirements to protect miners' health — such as exposure sampling — and medical surveillance at no cost for metal and nonmetal miners. It would also replace existing outdated requirements for respiratory protection with a standard that reflects the latest advances in respiratory protection technologies and practices.

Following the proposed rule's publication in the Federal Register, MSHA will welcome public comments and announce dates for upcoming public hearings in Arlington, Virginia, and Denver, Colorado. The hearings will be open for in-person or online participation.

Date

June 30, 2023

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Mark your calendars

Our 2024 training dates have been confirmed

Albany Fairgrounds – March 12, 2024

Douglas County Fairgrounds – March 13, 2024

Newsletter and Training Notification email address updates

These past few years have brought many changes to some of our member companies. If you have had a change in personnel or added new personnel that you wish to receive this newsletter and information regarding our annual training please contact our secretary Kellie Ramar @ memberreply@oraggregate.com



Don't forget to spread the word to your family and employees about our scholarship. Forms are now available on our website. **Deadline is September 15, 2023**

Attention OIAA member contacts

Please keep us updated on contact changes and email changes for your company.

Is there someone in your company that you would like to receive this newsletter? Please send information to memberreply@oregonaggregate.com

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Our next meeting is tentatively scheduled for September 27th 10 AM
KPD office conference room in Springfield, Oregon

Our meetings are open to all our members. We would love to hear what is happening at your company and if there is anything you would like to share with the association.

Remember your association can only be as good as you help make it.

memberreply@oraggregate.com.